North Central Regional Transit District (NCRTD)

Resolution 2012-27

OPEN MEETINGS ACT

WHEREAS: Section 10-15-1 (B), NMSA 1978 Provides that "All meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policy-making body of any state agency, or any agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, including the development of personnel policies, rules regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of any board, commission or other policy-making body, are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act"; and,

WHEREAS: Section 10-15-3 (A), NMSA 1978 Provides that "No resolution, rule, regulation, ordinance or action of any board, commission, committee or other policy-making body shall be valid unless taken or made at a meeting held in accordance with the requirements of NMSA 1978, Section 10-15-1"; and,

WHEREAS: Section 10-15-4, NMSA 1978 Provides that "Any person violating any of the provisions of NMSA 1978, Section 10-15-1or 10-15-2 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more that five hundred dollars ($500) for each offense."

NOW, THEREFORE, BE IT RESOLVED by the governing body of the NCRTD, that:

1. Notice shall be given at least 72 hours in advance of any regular meeting of a quorum of the members of the governing body and the agenda will be posted at least twenty four (24) hours prior to the meeting.

2. The regularly scheduled meetings of the governing body will be normally held on the first Friday of each month. Meetings will begin at 9:00 am. Location of Board meetings will be at the Jim West Transit Center, 1327 North Riverside Drive, Espanola, New Mexico. In the event that the regular meeting date falls on a legal holiday, the governing body shall designate an alternate meeting date and /or time at the regular meeting prior to the holiday and shall cause advance notice of the changed meeting date and /or time to be published as provided in this Resolution. In the event that a regular meeting of the governing body is changed to a different location, advance notice of the meeting location shall be posted as provided in this Resolution. The following are the projected dates of the regular meetings for the Calendar 2013:

January 4, 2013	February 1, 2013	March 1, 2013
April 5, 2013	May 3, 2013	June 7, 2013
July 12, 2013*	August 2, 2013	September 6, 2013
October 4, 2013	November 1, 2013	December 6, 2013

*moved from July 5th

3. Notice shall be given at least twenty four (24) hours in advance of any special meeting of a quorum of the members of the governing body, Board, committee, or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body.

4. All meetings of the NCRTD Board and Committees of the NCRTD Board shall be conducted pursuant to the procedural rules as adopted and from time to time amended by the NCRTD Board.

5. The notice requirements of Sections 1, 2 and 4 of this Resolution are compiled with notice of the date, time, place and subject matter of any regular or special meeting. "Giving of notice" shall mean posting of the resolution on the "notice board" located at the NCRTD Administration Offices at all times. The Resolution shall also be made available in the office of the NCRTD Secretary who shall maintain the posting for public inspection within the time limits specified.

In addition to the information specified above, all notices shall include the following language:

"If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language, interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing of the meeting, please contact the NCRTD Executive Assistant at 505-629-4702 at least one week prior to the meeting, or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats."

6. Notwithstanding any other provisions of Sections 1 through 5 of this Resolution, the governing authority may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.

7. A meeting or portion thereof may be closed in accordance with provisions contained in NMSA 1978, Section 10-15-1 (H) of the Open Meetings Act.

8. Notwithstanding any other provision of sections 1 through 6 of this Resolution, the governing body of the NCRTD may call, with whatever notice is possible under the circumstances, a meeting of the governing body, any board, commission, committee or other policy-making body of the District to consider or act on any emergency matter which appears to pose clear and immediate danger to the health, welfare or safety of the inhabitants of the District encompassed by the NCRTD.

9. As the District encompasses a large geographical area with board and committee membership spread over this large region, its membership may participate in a meeting by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

PASSED, APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT ON THIS 7nd DAY OF DECEMBER 2012.

Daniel Barrone, Chairman

Approved as to form:

Mark Basham, Counsel